



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File: A-72(B)-15

Property Address: 509 Wade Avenue

Property Owner: DJF Builders

Project Contact: Isabel Mattox

Nature of Case: A request for a 115' maximum front yard setback variance from the standards set forth in Section 10-2024(d)(2) of the Part 10 Development Regulations to allow for a detached house to be constructed at least 50' but not more than 130' from Wade Avenue on a .42 acre property zoned Special Residential-30 and located at 509 Wade Avenue.

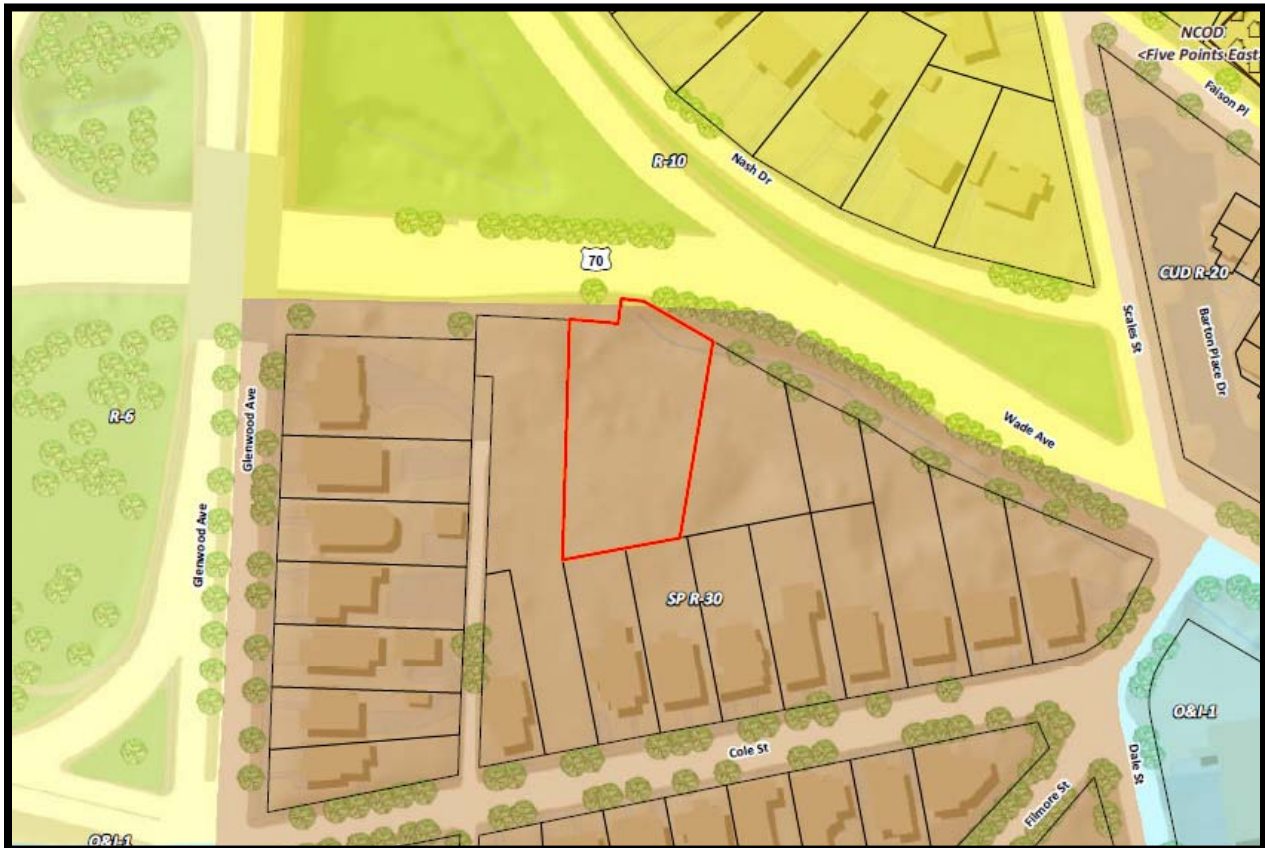


509 Wade Avenue – Location Map

To BOA: 9-11-15

Staff Coordinator: Eric S. Hodge, AICP

ZONING DISTRICTS: Special Residential-30



509 Wade Avenue – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Zoning District Setback Standards: The subject property is zoned Special Residential-30

<u>Yard Type</u>	<u>Minimum Setback</u>
Front Yard	The greater of either 15' or within 10% of the median front yard setback established by buildings on the same side of the block face of the proposed building. The minimum district yard setback as established above shall also constitute the maximum allowable building setback for the front yard area.
Side	5'
Aggregate Side	10'
Rear	20'



RECEIVED
AUG 14 2015
CITY OF RALEIGH
PLANNING DEPT.

Development Services
Customer Service Center
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

A-72-15
~~AB~~
JUSTICE
Date: 8/14/2015
Office: INSP
Trans: 114
000-00000-00000000
\$200.00

Check Tendered : \$200.00

Variance Application

OFFICE USE ONLY	
<p>Nature of variance request (Submit addendum on separate sheet, if more space is needed.)</p> <p>SEE ATTACHED ADDENDUM</p>	Transaction Number
<p>Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.</p>	

GENERAL INFORMATION		
Property Address 514 Glenwood Avenue 509 Wade Avenue		Date August 14, 2015
Property PIN 1704551344, 1704551344 & 1704552325	Current Zoning SP R-30	
Nearest Intersection Wade Avenue and Glenwood Avenue		Property size (in acres) 1.09 Acres
Property Owner DJF Builders Inc.	Phone 919-422-8660	Fax 919-363-4005
	Email	
Project Contact Person Isabel Worthy Mattox	Phone 919-828-7171	Fax 919-831-1205
	Email Isabel@mattoxfirm.com	
Property Owner Signature <u>DJF BUILDERS INC.</u> <i>[Signature]</i> President	Email dennis@djfbuilder.com	
Notary <i>[Signature]</i>	Notary Signature and Seal <i>[Signature]</i>	
Sworn and subscribed before me this <u>6</u> day of <u>August</u> , 20 <u>15</u>		

It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the required variance application will not be considered complete until all required submittal components listed on the Variance Checklist have been received and approved.

Addendum to Variance Application
514 Cole Street and 509 Wade Ave.

- (1) Maximum Setback. City Code Section 10-2024(d)(2) requires that the maximum setback shall be the greater of 15 feet or within ten percent (10%) of the median front yard setback established by buildings on the same side of the block face of the proposed building.

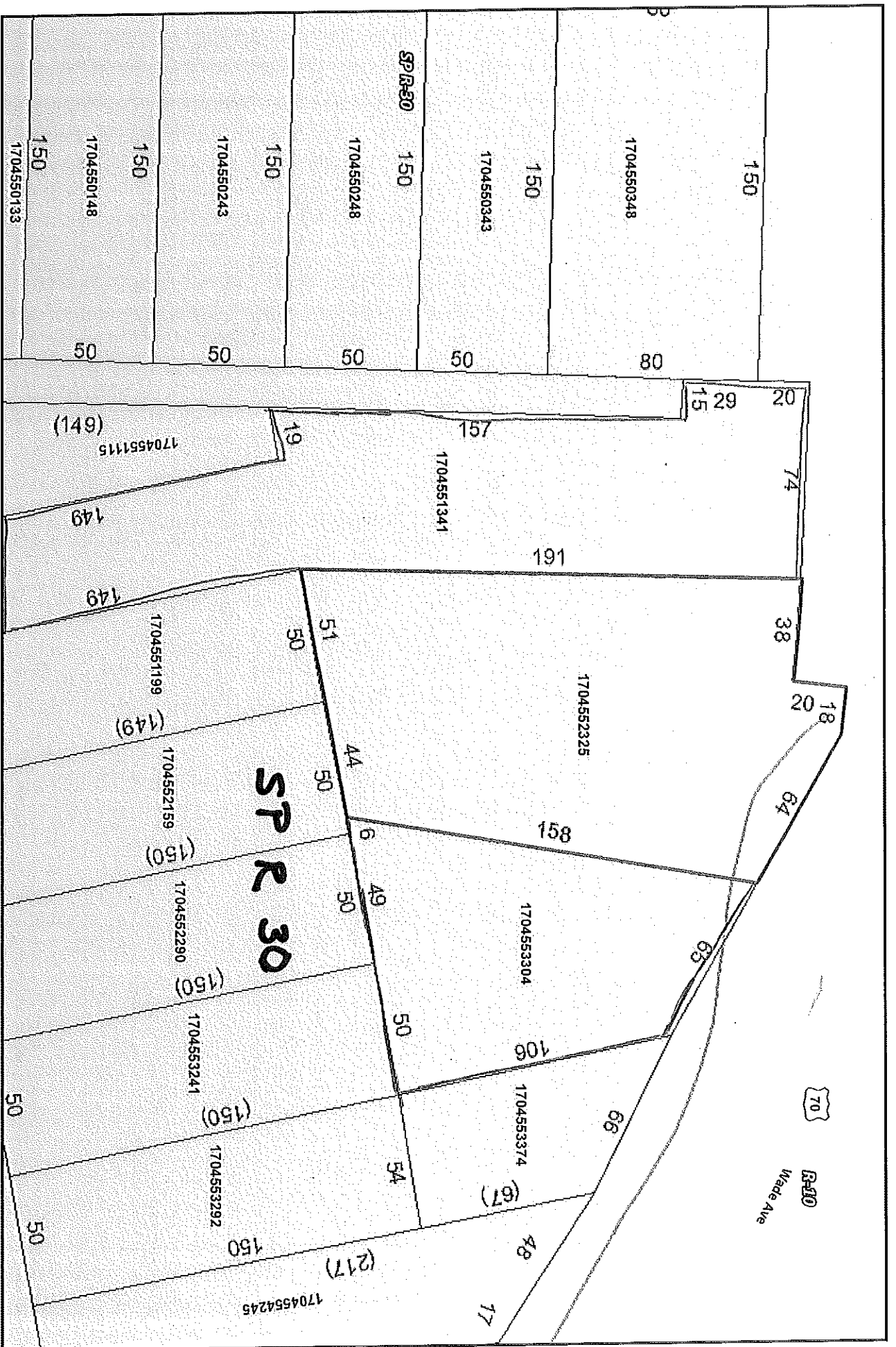
514 Cole Street. The prevailing setback on the subject block of Cole Street is estimated to be 14-16 feet and the average is approximately 15 feet. Therefore the maximum setback would be approximately 16.5 feet. The lot at 514 Cole Street has 20 feet of frontage and the entire frontage is consumed by an access easement. The distance from the street to a point outside the access easement is approximately 170 feet. Therefore a consistent setback along Cole Street is impossible to achieve. Owing to the hardships of a small amount of street frontage and the presence of an access easement, Applicant requests a variance of up to 205 feet in the maximum front setback to allow the placement of a house which will be located at least 190 feet but not more than 220 feet from Cole Street.

509 Wade Avenue.

The primary street frontage of the subject property is on Wade Avenue. Since no prevailing setback on this portion of Wade has been established, the minimum and maximum setback from Wade would be 15 feet.

A significant portion of the Wade Avenue frontage for this lot is within the 50-foot wide Neuse River buffer, and the closest areas along Wade are on a very steep grade. Because of the hardship conditions of the Neuse River buffer and the extreme grade of the frontage, a consistent setback is impossible to achieve and would not be visually appealing.

Therefore, the applicant is requesting a variance of up to 115 feet in the maximum front setback to allow the placement of a house which will be located at least 50 feet from Wade but not more than 130 feet from Wade. This will allow the riparian buffer and street grade to be accommodated.



70
R-410
Made Ave

Disclaimer
 Maps makes every effort to produce and publish
 the most current and accurate information possible.
 However, the maps are produced for information purposes,
 and are NOT surveys. No warranties, expressed or implied,
 are provided for the data therein, its use, or its interpretation.

RIEGELMAN, LIESL ANN
BRANDON LEE SINES,
1704 55 1199
512 COLE ST
RALEIGH NC 27605-1208

KISSEE, ROBERT DALE II
KISSEE, EMILY JULIA
1704 55 2290
508 COLE ST
RALEIGH NC 27605-1208

PHIPPS, WILLIAM A
PHIPPS, SARAH PEARCE
1704 55 3292
502 COLE ST
RALEIGH NC 27605-1208

COBB, CARSON L JR & DEBRA T
TRUSTEE THE COBB LIVING TRUST
1704 55 4245
4209 MARVIN PL
RALEIGH NC 27609-5951

Smith, Myra Jean
Clayton, Gregory Alan
PIN 1704 55 0348
1418 Glenwood Ave.
Raleigh, NC 27605-1219

Wilson Glenwood LLC
PIN 1704 55 0243
828 Greenwich St.
Raleigh, NC 27610-3639

DJF BUILDERS INC
1704 55 2325
3716 NATIONAL DR STE 122
RALEIGH NC 27612-4863

DJF BUILDERS INC
1704 55 3304
3716 NATIONAL DR STE 122
RALEIGH NC 27612-4863

DJF BUILDERS INC
1704 55 1341
3716 NATIONAL DR STE 122
RALEIGH NC 27612-4863

SHACAN INVESTMENTS LLC
1704 55 4294
8108 TYLERTON DR
RALEIGH NC 27613-1575

Fredette, John W.
Fredette, W. Douglas
PIN 1704 55 0343
1416 Glenwood Avenue
Raleigh, NC 27605-1219

Smart, Randolph Scotten
PIN 1704 55 0148
1410 Glenwood Ave.
Raleigh, NC 27605-1219

JOHNSON, ANTHONY H JOHNSON,
KATHALEEN M
1704 55 2159
510 COLE ST
RALEIGH NC 27605-1208

RIEDEMANN, MARK
1704 55 3241
506 COLE ST
RALEIGH NC 27605-1208

HUTZLER, PATRICIA M
1704 55 3374
8908 EAGLEBROOK CT
RALEIGH NC 27617-7540

McCoy, Thomas Marshall Jr.
PIN 1704 55 1115
516 Cole Street
Raleigh, NC 27605-1208

David, Luther J. III and
Jennifer C.
PIN 1704 55 0248
1414 Glenwood Ave.
Raleigh, NC 27605-1219

McDonald, Michael & Jessica
PIN 1704 55 0133
1408 Glenwood Ave.
Raleigh, NC 27605-1219

NDT TO SCALE

[illegible]

1-0021
 IDENTIFICATION NUMBER
 ALSO, I CERTIFY,
 EDWARD H. SULLIVAN

A. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATE PARCELS OF LAND

1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET

2. THAT THE SURVEY IS OF AN EXISTING BUILDING OR OTHER STRUCTURE OR NATURAL FEATURE, SUCH AS A WATERCOURSE

3. THAT THE SURVEY IS A CONTROL SURVEY,

4. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE

OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

6. THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF THE SURVEYOR'S PROFESSIONAL ABILITY AS TO PERMANENCE OF THE SURVEYOR'S EXISTING PARCELS. A GOVERNMENT-OWNED SURVEY, OR

CONTAINED IN (a) THROUGH (d) ABOVE.
OWNER'S CERTIFICATION

THIS CERTIFIES AND WARRANTS THAT THE UNDERSIGNED IS (ARE) THE
THE (OWNER) OF THE INFORMATION CONTAINED ON THESE CARDS AND IS AWARE THAT

ACCOMPANYING SHEETS SUBJECT TO THE EXEMPTIONS ON RECORD, HAVING BEEN ACQUIRED THE PROPERTY IN FREE SINGLE BY DEED(S) RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS OF WAKE COUNTY, NORTH CAROLINA, ON OTHERWISE, AS SHOWN BELOW AND AS SUCH, HAS (H) PAID THE FIFTH

TO THE CITY OF BALESTON FOR PUBLIC USE ALL STREETS, EASEMENTS,

RIGHTS-OF-WAYS, PARKS AND GREENWAYS (AS THESE INTERESTS ARE DEFINED IN THE CODE), AND AS THE SAME MAY BE SHOWN THEREON, FOR ALL LAWFUL PURPOSES TO WHICH THE CITY MAY DEVOTE OR ALLOW THE SAME TO BE USED AND OPEN ACCEPTANCE THEREON IN ACCORDANCE WITH

ALL CITY POLICE, FIRE, AND RESCUE, OR REGULATIONS OR CONDITIONS OF THE CITY OF RALEIGH FOR THE BENEFIT OF THE PUBLIC, SAID DEDICATIONS SHALL BE IRREVOCABLE; PROVIDED, ANY OBLIGATION OF EASEMENTS FOR STORM DRAINAGE ARE NOT MADE TO THE CITY OF RALEIGH BUT ARE IRREVOCABLY MADE TO THE SUBSIDIENT OWNERS OF ANY AND ALL

PROPERTIES SHOWN WEREIN FOR THEIR USE AND BENEFIT SUBJECT TO CONDITIONS OF SUBSECTION (b), (c), (d) AND (f) OF SECTION 1 AND SECTION 4 OF THE "CITY STORM DRAINAGE POLICY" (RESOLUTION 1970-742 AS THE SAME MAY BE FROM TIME TO TIME AMENDED).

18012 STOCK NO
2471 PRICE NO.
D. A. Smith

JOSEPH BUILDERS INC BY: DENNIS FITZGERALD
STATE OF NORTH CAROLINA
COUNTY OF WAKE COUNTY

I IDENTIFY THE FOLLOWING PERSON(S) PERSONALLY APPEARING BEFORE ME THIS DAY, EACH ACKNOWLEDGING TO ME THAT HE OR SHE VOLUNTARILY SIGNED THE FOREGOING DOCUMENT FOR THE PURPOSES STATED THEREIN AND IN THE CAPACITY INDICATED THEREIN: JOHN F. FITZGERALD AS PRESIDENT OF

DATE May 27 2015

PRINTED NAME: DEBORAH SULLIVAN NOTARY

NY COMMISSION ON THE STATUS OF WOMEN 30.12

THIS PLAT NOT TO BE RECORDED AFTER _____ DAY OF _____
COPY TO BE RETAINED FOR THE CITY,
THIS PLAT IS 1 IN _____ OUT OF THE CITY LIMITS.

RECORDED IN WAKE COUNT

1

[illegible]

MADE AVENUE
VARIABLE WIDTH R/W

ALLEY
N 02°09'33" E 156.99'

WADONT
RESIDENTIAL USE
LOT 12
0.43 ACRES
SINGLE FAMILY
PER 1947-241
1941
LOT 13
22999 S.F.
0.52 ACRES

NEW 100' BATHING SEKER EASEMENT

NEW PROPERTY LINE
68.05' N, 121.54', 10.5'

PROPERTY LINE HENRY AVE.

NEWMAN, THOMAS M. and NEWMAN, JUDITH A.
N 10°50'20" E 149.29'

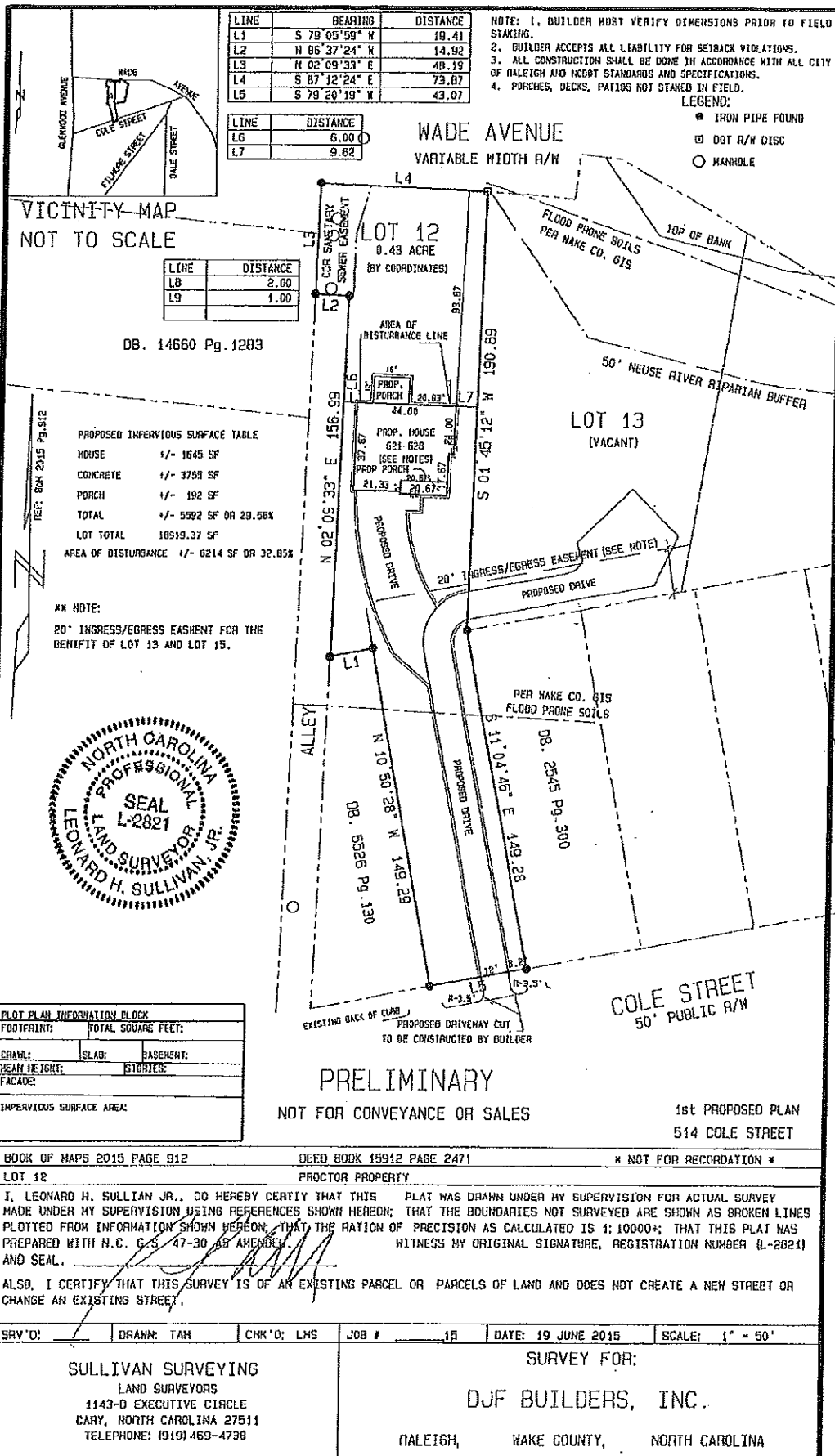
FLAND FISHING STRIP
PER MADE COUNTY GIS

NEWMAN, THOMAS M. and NEWMAN, JUDITH A.
N 10°50'20" E 149.29'

CONCRETE ALLEY
156.99' WADONT

OWNER(S):
12 JOHN B. BROWN
13 JUDITH A. NEWMAN
14 JUDITH A. NEWMAN

[illegible][illegible][illegible]




[Home](#)

Wake County Real Estate Data Account Summary

[iMaps](#)
[Tax Bills](#)
Real Estate ID **0360283** PIN # **1704552325**
[Account Search](#)
Location Address
509 WADE AVEProperty Description
LO13 RCMB PROCTOR PROPERTY BM2015-00912
[Pin/Parcel History](#) [Search Results](#) [New Search](#)
[NORTH CAROLINA](#) [Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

For real estate accounts created or new construction built after January 1, 2015: Property values are under review for tax year 2016. Land and building values on these properties will reflect an assessment based on the January 1, 2008 Schedule of Values until late 2015 or early 2016 at which time the January 1, 2016 revaluation values for both land and buildings will be available.

Property Owner DJF BUILDERS INC (Use the Deeds link to view any additional owners)		Owner's Mailing Address 3716 NATIONAL DR STE 122 RALEIGH NC 27612-4863	Property Location Address 509 WADE AVE RALEIGH NC 27605-1240
Administrative Data Old Map # G051-- Map/Scale 1704 11 VCS 01RA211 City RALEIGH Fire District Township RALEIGH Land Class VACANT ETJ RA Spec Dist(s) Zoning SP R-30 History ID 1 History ID 2 Acreage .42 Permit Date Permit #		Transfer Information Deed Date 2/6/2015 Book & Page 15912 2471 Revenue Stamps 700.00 Pkg Sale Date Pkg Sale Price Land Sale Date 2/6/2015 Land Sale Price \$116,667 Improvement Summary Total Units 0 Recycle Units 0 Apt/SC Sqft Heated Area	Assessed Value Land Value Assessed \$210,000 Bldg. Value Assessed Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value \$210,000 Assessed*

*Wake County assessed building and land values reflect the market value as of January 1, 2008, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2008 values will remain in effect until the next county-wide revaluation, which begins January 1, 2016. Until that time, any real estate accounts created or new construction built is assessed according to the 2008 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Revenue Department at RevHelp@wakegov.com or call 919-856-5400.